



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding STONECLIFFE PROPERTIES LTD
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MNDC, FF

Introduction

This hearing was convened by way of conference call in response to a Tenant's Application for Dispute Resolution (the "Application") for money owed or compensation for damage or loss under the *Manufactured Home Park Tenancy Act* (the "Act"), regulation or tenancy agreement. The Tenant also applied to recover the filing fee from the Landlord.

The Tenant appeared for the hearing was several friends who were present to assist the Tenant during the hearing. However, there was no appearance for the company Landlord during the 20 minute duration of the hearing or any submission of evidence prior to this hearing. Therefore, I turned my mind to the service of documents for this hearing by the Tenant.

The Tenant testified that he served a copy of the Application, the Notice of Hearing documents, and his documentary evidence by registered mail. However, the Tenant did not provide a copy of the Canada Post tracking receipt or number to verify this method of service prior to this hearing.

I provided the Tenant an opportunity to supply this evidence into oral testimony during the hearing. However, the Tenant was unable to locate the tracking number which would have proved the service of documents. I gave the Tenant 20 minutes to locate and make enquiries to find the tracking number during which time the Tenant and his friends made several attempts to find it without success. I also provided this extended time period to allow the Landlord sufficient time to appear for the hearing in an effort to verify service.

Therefore, as the Tenant had failed to provide sufficient evidence that the Landlord was served with documents for this hearing in accordance with Section 82(1) of the Act, and there was no appearance by the Landlord, I was not able to hear the Tenant's

Application. As a result, the Tenant's Application is dismissed. However, I provide the Tenant with leave to re-apply. The Tenant is cautioned that he must provide sufficient evidence regarding the service of paperwork if he decides to make another Application.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: November 25, 2015

Residential Tenancy Branch

